

PROCEEDINGS OF THE BROWN COUNTY
EXECUTIVE COMMITTEE

Pursuant to Section 18.94 Wis. Stats., a regular & budget meeting of the **Brown County Executive Committee** was held on Monday, October 26, 2015 in Room 200 of the Northern Building, 305 E. Walnut Street, Green Bay, Wisconsin.

Present: Chair Lund, Supervisors Patrick Moynihan, Bernie Erickson, Steven Fewell, John Van Dyck, Pat Evans

Excused: Supervisor Pat Buckley

Also Present:

Supervisors Robinson, Jamir, Kaster, Landwehr & Sieber
Chad Weininger (Director of Administration)
Paul Zeller (Treasurer)
Brent Haroldson (Asst. Corp Counsel)
Juliana Ruenzel (Corporation Counsel)
Sandy Juno (County Clerk)
Nancy Fennema (Director of Community Programs)

Dan Process (Internal Auditor)
Neil Anderson (NEW Zoo Director)
Paul Fontecchio (Public Works Engineering Mgr.)
Warren Kraft (Human Resources Director)
David Ehlinger (Finance Director)
Christina Connell (Senior HR Analyst)
Cathy Williquette (Register of Deeds)
Cresence Birder (Deputy Executive)
News media and other interested parties

I. Call meeting to order.

The meeting was called to order by Chair Tom Lund at 5:30 pm.

II. Approve/modify agenda.

Motion made by Supervisor Fewell, seconded by Supervisor Moynihan to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

III. Approve/modify Minutes of October 12, 2015.

Motion made by Supervisor Moynihan, seconded by Supervisor Fewell to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Supervisor Van Dyck arrived at 5:33 p.m.

Treasurer

1. ACTION - Review and approval or rejection of offers for tax deed properties:

Interested Municipality = Village of Hobart

Parcel HB-679-3	4229 N. Pine Tree Road	Hobart	Lot and Home
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Treasurer Paul Zeller recalled that this was held over from the last meeting as there was a question regarding the eligibility of the Oneida Tribe purchasing this parcel since it is on the Oneida Reservation. Zeller noted that he and Assistant Corporation Counsel Brent Haroldson reviewed the statutes on this. Haroldson said that pursuant to Wis. Stats. 75.35(2)(f), a copy of which is attached, the taxing jurisdiction may purchase the tax deeded land by notifying the county of its intent to do so at any time within one year after the period of redemption has expired but prior to the date upon which the tax deeded land is sold to another person by the county. He continued that there are special assessments on this property by Hobart and by statute, they have the authority to purchase the property at the price outlined by statute. Zeller said that Hobart offered \$14,204.15 for the property and noted that there are four years of special assessments levied against the property.

Motion made by Supervisor Erickson, seconded by Supervisor Fewell to approve the sale of Parcel HB-679-3 to the Village of Hobart in the amount of \$14,204.15. Vote taken. MOTION CARRIED UNANIMOUSLY

BUDGET REVIEW

Comments from the Public – Budgetary Items. None.

Non-divisional Budgets

2. County Executive – Review of 2016 department budget.

Director of Administration, Chad Weininger, stated that the County Executive budget is pretty much status quo with no major initiatives or changes.

Motion made by Supervisor Van Dyck, seconded by Supervisor Moynihan to approve the County Executive's budget as presented. Vote taken. MOTION CARRIED UNANIMOUSLY

Non-divisional Budgets

3. Board of Supervisors - Review of 2016 department budget.

Board Chair Pat Moynihan stated that the budget is pretty straight forward and status quo. The only caveat is that Supervisors have not had a salary increase in about eight years. He provided a handout, a copy of which is attached regarding this. He noted that the pay for the Chair and Vice Chair has been frozen, but he is proposing an increase to the standing committee chairs of \$444 to \$8,400 because those people have to attend the Executive Committee meeting along with their committee meeting. In addition, he is proposing rounding the salary up for the rest of the Supervisors to \$8,000 each.

Weininger stated that to be technically correct, the Chair and Vice Chair would have a reduction in their salaries of \$6. After the changes are made, there would be a resolution for this for approval.

Motion made by Supervisor Erickson, seconded by Supervisor Evans to approve the Board of Supervisors budget as presented. Vote taken. Nay: Fewell. MOTION CARRIED 5 to 1.

Resolutions, Ordinances

4. Resolution Approving New or Deleted Positions during the 2016 Budget Process (Airport).

Moynihan clarified that this is in regard to an open position that the Airport Director wishes to delete and Weininger confirmed this.

Motion made by Supervisor Erickson, seconded by Supervisor Moynihan to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

4a. Resolution re: Approving New or Deleted Positions during the 2016 Budget Process (Administration).

Weininger stated that the LOGOS project is winding down and they will keep one person on this, but will be eliminating four other positions. The remaining person will be spending the majority of their time on KRONOS. This resolution is also to approve the Public Information Officer position which will be funded by the municipalities.

Motion made by Supervisor Moynihan, seconded by Supervisor Evans to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

4b. Resolution re: Approving New or Deleted Positions during the 2016 Budget Process (Human Resources).

Weininger noted that there is some reorganization going on in Human Resources. The proposal is to change the Safety Coordinator position to an Analyst/Safety Coordinator position which will still help reduce worker compensation claims but also allow someone to provide some relief to the other analysts in Human Resources to better strengthen that area.

It was noted that there was a typographical error in the figures on the second page of the resolution. The resolution will be corrected to reflect the correct figures prior to the budget meeting.

Moynihan noted that the Safety Director position was started in March or April. Due to the number of people employed by Brown County, Moynihan felt a full-time Safety Director should be maintained, at least for the time being. This could be changed in the future if necessary, but at this time he will not support this resolution.

Motion made by Supervisor Fewell, seconded by Supervisor Erickson to approve with modification of \$78,388. Vote taken. Nay: Moynihan, Evans. MOTION CARRIED 4 to 2.

5. Resolution Approving New or Deleted Positions during the 2016 Budget Process (County Clerk).

County Clerk Sandy Juno stated that the position which is the subject of this resolution has been an LTE position for quite a few years and goes back to the days when it was a union position. She noted that the person in this position has adjusted her schedule to work however many hours the county needs and she has assisted not only in the Clerk's office, but also in the Treasurer's office and Register of Deeds and a number of other departments. This resolution is to remove the LTE status of the position.

Motion made by Supervisor Moynihan, seconded by Supervisor Evans to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

6. Resolution Approving New or Deleted Positions during the 2016 Budget Process (Human Services – Community Programs).

Motion made by Supervisor Evans, seconded by Supervisor Erickson to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

7. Resolution Approving New or Deleted Positions during the 2016 Budget Process (Human Services – Community Treatment Center).

Director of Community Programs Nancy Fennema noted that this request is based on an error on their part in the budgeting process. They erroneously deleted 3.5 positions at the CTC. At this time they are requesting that the positions be added to the proposed budget at a net increase of \$159,374. The levy would fund \$80,000 of the increase and the remainder would be offset by revenues from the CBRF.

Motion made by Supervisor Evans, seconded by Supervisor Erickson to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

A discussion ensued regarding the figures of the resolution and it was decided to hold action on this item until the end of the meeting to allow staff time to put the correct numbers together.

Motion made by Supervisor Evans, seconded by Supervisor Erickson to reconsider Item 7. Vote taken. MOTION CARRIED UNANIMOUSLY

Weininger asked that the resolution be amended to include the position title, nursing assistant, under FTEs 3.5 positions at a salary of \$116,328, plus fringes of \$43,046 for a total of \$159,374.

Motion made by Supervisor Evans, seconded by Supervisor Fewell to approve as amended to add 3.5 Nursing Assistant positions at a salary of \$116,328, plus fringes of \$43,046 for a total of \$159,374. Vote taken. MOTION CARRIED UNANIMOUSLY

**8. Resolution Approving New or Deleted Positions during the 2016 Budget Process
(Public Safety Communications).**

Motion made by Supervisor Moynihan, seconded by Supervisor Evans to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

9. Resolution Approving New or Deleted Positions during the 2016 Budget Process (Public Works).

Motion made by Supervisor Erickson, seconded by Supervisor Evans to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

**10. Resolution Approving New or Deleted Positions during the 2016 Budget Process
(Sheriff's Department).**

Motion made by Supervisor Moynihan, seconded by Supervisor Fewell to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

**11. Resolution Approving New or Deleted Positions during the 2016 Budget Process
(Technology Services).**

Motion made by Supervisor Fewell, seconded by Supervisor Evans to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

**12. Resolution Approving New or Deleted Positions during the 2016 Budget Process
(UW Extension).**

Motion made by Supervisor Erickson, seconded by Supervisor Evans to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

**13. Resolution Approving New or Deleted Positions during the 2016 Budget Process
(Zoo and Park Management).**

Evans noted that he was not able to attend the last Executive Committee meeting however he was aware that an audit had been done at the Zoo. He noted that from review of the minutes it seemed that the person representing the Zoo at that meeting was apprehensive or against implementing the suggestions of the Internal Auditor and asked Zoo Director Neil Anderson for his thoughts on this. Anderson responded that they will absolutely be implementing the suggestions and the Operations Manager is fully cooperative as well.

Motion made by Supervisor Moynihan, seconded by Supervisor Evans to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

At this time the Committee returned to Item 7.

14. Resolution re: Establishing the Salaries of Certain Elective Officials.

At this time elected officials Cathy Williquette, Sandy Juno and Paul Zeller addressed the Committee. Williquette noted that they appeared before the Administration Committee to ask for consideration of their salaries which have to be set prior to the start of the nomination paper circulation in April. She noted that in approximately 2008 the salaries were reduced and never brought back up. Williquette was asked at the Administration Committee to provide comparables which she did, a copy of which are attached. Zeller submitted comparables as well and they are also attached. These salary comparables indicate that the salaries for Brown County's elected officials have fallen behind. Williquette noted that at one time there was a slight difference in the salaries of the County Clerk, Treasurer and Register of Deeds and the County Board voted to put all of these positions at the same salary of \$57,000. It should be noted that in 2012 all of these positions were even at \$67,700 and during the same time period the elections term of office changed and everyone was at a two year cycle which changed to a four year cycle and they wanted the Clerk of Courts and Sheriff to be on the gubernatorial ballot and they wanted the Treasurer, County Clerk, Register of Deeds and District Attorney to be on the presidential ballot which resulted in the difference in the offset.

Zeller stated that after the last Administration Committee meeting, he obtained a list of the salaries for all County Treasurer's in Wisconsin. He noted that there are 12 counties that have a higher salary for their Treasurers, including Outagamie County, Winnebago County and Fond du Lac County. Zeller continued that Wood County, with a population of 74,583 is the next county below Brown County in their compensation of their Treasurer at \$68,913.

Evans asked if anyone felt that any of the comparable counties were over compensating their elected officials. Williquette did not think this was the case and continued that when Brown County decided to reduce the salaries, they never caught back up. Evans noted that in the past the County Board got rid of their health insurance and asked if the elected officials would be opposed to that and if it would be appropriate. Williquette did not think that would be appropriate as they work full-time. Evans disagreed and stated that they are constitutional officers and do not have to show up at work. He noted that what he likes to see is these people fighting for their positions and justifying the pay that they feel they deserve for the work they are doing and for the positions. He continued that the County Board could learn something from these elected officials by saying they bring value to the position. Some of the people on the County Board have the attitude that they bring value to the position and it is some sort of volunteer work and they have to be so helpful to the taxpayers and cannot give themselves a raise, but these are the same people out there falling all over and pandering over the elected officials and this makes him nauseous because they degrade the position of County Supervisor, but then they exalt the other positions. Evans continued that he appreciates the fortitude of Zeller, Williquette and Juno and noted that it is up to the voters to determine whether or not these people are doing a good job, but from what he has seen from these departments, he has been impressed with their work.

Lund noted that the Administration Committee set these salaries at \$73,700 for 2017, \$75,700 in 2018 and then a 2% increase each year and that which is reflected at \$77,214 and \$78,758.

Zeller stated that he appreciates the comments of Supervisor Evans as he is a former County Board Supervisor. He continued that he set a goal for his office in 2015 that he perceived to be an opportunity to bring revenue into the county by using a different method of selling tax deed properties. Zeller stated that there has been a loss on the line item for the last four years but said that as of September 30, the figure is a positive \$65,475. He stated that this was an attempt to pay for his position and the bottom line is that Brown County has good people and he agreed with Evans in that the salaries are not set for the individuals, but for the positions. The elected officials are not sitting on their hands looking for ways to spend the County's money, but they are working to bring positive results to the County.

Evans asked Zeller if he voted for County Board pay raises while he was on the Board. Zeller responded that the pay raise issue did not come up during his term, but the benefits were in effect at that time and he did take the dental benefit during his term on the County Board.

Van Dyck asked if the Clerk of Courts was invited to come to this meeting tonight and Williquette responded that the Clerk of Courts is not on this election cycle and what is before the Committee now only applies to the Register of Deeds, County Clerk and Treasurer. In two years they will be asking the same for the Sheriff and the Clerk of Courts and she would expect that they would probably appear as they have in the past.

Supervisor Robinson agreed with Evans that these people are doing a good job in their positions, but found it interesting that the Board is committing to a 2% raise for these four years regardless of job performance. He said it will be interesting when they have a conversation in the coming years about how the general employees are compensated, whether it is going to be 2% regardless of job performance.

Sandy Juno stated that what she is concerned about is the class and comp to make sure that everyone is in the right area. She stated that when the first class and comp was done in 2000, the whole idea was to get these four positions on the same pay grade. Then with the change overs in HR, she felt that the consistency was lost and what they are asking for now is to be handled consistently.

Fewell confirmed that the numbers given earlier are the same numbers that were discussed at the Administration Committee meeting and continued that the Clerk of Courts' and Treasurer's salaries were dropped in the past to make everything even.

Motion made by Supervisor Moynihan, seconded by Supervisor Fewell to approve the resolution as amended with the figures that were provided by the Administration Committee. Vote taken. MOTION CARRIED UNANIMOUSLY

NON-BUDGET REVIEW

Comments from the Public – Non-Budgetary Items. None.

Communications

- 15. Communication from Supervisor Erickson re: Starting in 2016, all new hires would not be eligible for the standard January (2017) all-inclusive raise or December bonus in 2017 until they have been employed by Brown County for 6 months and then raises or bonuses could be applied. *Referred from October County Board.***

Erickson said it has come to his attention that when raises are decided on at County Board, and for the sake of discussion he is using the figures of 2% with a 1% bonus, if someone is hired on December 10, 2015, when 2016 rolls around, that employee will get the 2% and then would be eligible the following December for the appropriate, agreed upon bonus. Under this communication, an employee would not be eligible for the across the board blanket raise on January 1 if they have not been employed for at least six months. After six months, the employee could get the blanket raise for that year and be eligible for the bonus. This means that if someone is hired in July or any time later than that, they would not be eligible for the bonuses or the raise. It would be like a probationary period where an employee would have to be employed by the county for at least six months before being eligible for the raises or bonuses.

Fewell asked if this was intended to be applied universally across all employees, and it was responded that it would be for everyone except union employees. As such, the step increases that are given to jailers would be erased. Fewell stated that there are steps where they get so much after they have been here so long and they are told that upon hiring and Fewell felt that if we are flat rating everyone else, the jailers should be getting that as well. Weininger stated that if there is a 1% or 2% raise, it is put in the wage scale so if someone is hired on January 1, the 1% or 2% is built into the additional salary and that is to have the whole scale move with it. However, Weininger noted that there is a section in the ordinance that says you have to wait six

months, so if you get hired December 31, you have to wait six months, but if you get hired January 1 it would automatically be built in. Erickson reiterated that the intent of the communication is that an employee be here for six months before becoming eligible for an increase.

Human Resources Director Warren Kraft said that the ordinance would need to be amended because right now, during the initial employment period, whenever it begins, for that six month period of time, an employee is not eligible to any pay raise. Lund said that that was not the way it was explained by the County Executive at the last PD & T meeting. Kraft continued that Weininger's example is correct based on the language in the code. Erickson asked if this applies to upper level management positions and Kraft responded that it did and reiterated that everyone has a six month waiting period before they are eligible for an increase pursuant to the code and they would not get a bonus if they are not here for six months either.

Weininger explained that for the pay for performance piece of this, for 2015, if you have been here for six months, you would qualify for it but sometimes department heads prorate this. Erickson stated that he is referring to 2016 and if someone is hired in the second half of the year they would not be eligible for a raise until six months later, and that the pay for performance part which would be available to employees at the end of the year would also not be available to someone that has not been employed for six months. Kraft stated that that was what the implementation plan that was approved by the County Board last week says.

Motion made by Supervisor Moynihan, seconded by Supervisor Fewell to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

16. **Communication from Vice Chair Lund: Allow retired employees the opportunity to pay from their long-term sick pay fund insurance premiums paid to another source other than Brown County insurance coverage. *Referred from October County Board.***

Motion made by Supervisor Fewell, seconded by Supervisor Van Dyck to refer to Administration. Vote taken. MOTION CARRIED UNANIMOUSLY

Reports

17. **County Executive Report. None.**

18. **Internal Auditor Report.**

Motion made by Supervisor Moynihan, seconded by Supervisor Fewell to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

- a) **Board of Supervisors and Veterans' Recognition Subcommittee Budget Status Financial Report for September, 2015.**

Motion made by Supervisor Fewell, seconded by Supervisor Moynihan to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

19. **Human Resources Report. None.**

Resolutions/Ordinances

20. **Revised Ordinance to Amend the Grievance Procedure adding a just cause standard.**

Evans sent out e-mails to everyone regarding this that explained what just cause is, a copy of which is attached. He stated that in his consulting he has written handbooks for numerous public organizations such as school districts. Corporation Counsel Juliana Ruenzel stated Board members should not be sending e-mails back and forth as it could be considered a walking quorum. Evans stated that Ruenzel started although she disagreed with this and said that she could send out any information she wants as she is not part of the

Committee. Evans responded that that may be correct, but he sent information to the County Board office and asked them to print it for public knowledge.

Ruenzel stated that under Act 10, under the grievance procedure, the burden is always on the grievant. The county does not prove that they are wrong; that would be ridiculous. If the grievant is saying the county is wrong, the grievant has the burden of proof under Act 10 and that is how litigation normally is. The party bringing the action has the burden of proof. Evans noted that perhaps it should be taken out of the grievant procedures, and Ruenzel responded that this is contained in Act 10. Evans continued that tons of school districts and the City of Green Bay have just cause in their employee handbook as well. What he is trying to get at is that we need to put just cause back into our procedures. He felt that everyone thought it was for the benefit of the employee, but it is for the benefit of administration and the employee because it sets specific guidelines as far as what must be done when disciplining an employee and he thinks that that is important. He gets that Wisconsin is right to work but when you are dealing with the changes that we have had it goes back to protecting administration and protecting the employees and the discipline procedure needs to be defined. Things such as verbal warnings, written warnings, suspensions without pay, termination of employees, performance; all of that needs to be defined. He finds what we have now interesting and referred to the just cause standard that was on the Committees' desks that contains seven different questions and felt that is where we need to go. He referred to the question, "did the investigation produce substantial evidence or proof of guilt". He continued that the handout states, "here it is obvious that workers have less rights inside the workplace than they would have in a civil court, but still the boss must have real evidence, not guesses. Again the boss cannot just try to make a worker prove his or her innocence, without presenting proof of guilt" and stated that this is what happens right now, the employee is fired with no documentation or anything else and he feels this is inappropriate and will lead to court cases and lawsuits. Evans continued that this is why different municipalities and school districts have put just cause back in. He said that maybe it does not need to be in the grievant area, but maybe it just needs to be in the employee handbook in a different area, but he certainly felt that putting the onus on the grievant to say that the county did not follow anything because they did not have to, then the employee always loses and we do not need to have any grievance procedures because the county is always right and can terminate anyone for any reason.

Van Dyck said he did not know what was initiating this request and the language has been in effect for four or five years. He appreciates the information, but did not know what problem there is that needs to be fixed. Evans stated that his intention is to prevent problems. Van Dyck provided examples of language from the Ashwaubenon and Wrightstown School District employee manuals that stated that there is no just cause included in the handbooks. Van Dyck said he would be interested to know how many school district handbooks contain just cause clauses as Evans indicated earlier. He also read an e-mail he received from WCA's attorney that indicated that the overwhelming majority of counties do not have just cause standards in their handbooks, for a variety of management-related reasons as well as for the legal reason that incorporating a just cause standard gives rise to the argument that the employee has a legitimate expectation of continued employment that cannot be taken away without due process of law. This creates a constitutional issue and opens the public employer to potential federal claims on discipline and termination decisions and they do not think the empirical evidence supports any claim that there have been employment decisions made on a whim or that discretion afforded management has been exercised in an arbitrary fashion.

Van Dyck continued that the bigger issue is helping management understand what is appropriate and in that regard, he thought the HR Department is going to be having corrective action sessions. Kraft noted that Christiana Connell is leading the team on this and the sessions have already started. It was Van Dyck's opinion that putting this language in and handcuffing administration to make decisions is bad management, although he said it may be good politics for someone looking for votes, but he felt that it was bad business and everyone that he has spoken with on this, including someone who has been in the business of HR and writing handbooks for many years suggested against it. Van Dyck continued that it would be interesting to see where the examples Evans spoke about are coming from. He stated that there is article after article and case after case where employers have had to go through hundreds of thousands of dollars in litigation expenses to

get rid of someone that clearly should have been released, but because of just cause procedures they were not able to get rid of the person and he is not sure why Evans wants to subject the County to that. In the four years that Van Dyck has been on the Board, he has seen three grievances, all of which have been upheld. He is not sure where the issue is on this.

Evans responded that the issue is the issue. With regard to Van Dyck's statement that this would handcuff administration to make decisions, he does not understand that. He did not think there was anything wrong with making administration make decisions. Van Dyck stated that the Board is the ultimate administration and this would be handcuffing the Board on the ability to make prudent decisions to remove somebody who should not be here because we now have to go through this long, elaborate process to try to release someone from their job who should not be working here. Evans responded that this is why there needs to be a procedure in place and it is no different than different protocols in emergency situations. He felt that if something was grievous enough, someone could be terminated immediately but he does not see what is wrong with having proof in place to say an employee did this, we talked to them and noted it and then gave them a written warning, and then another written warning or whatever the procedure is. He continued that if people want to take the stance to say that the county does not need to justify anything it does with employees anymore, then that stance can be taken, but he felt the administration needs to respect the workers and he feels that a happy worker is a productive worker. For someone to say that we should not have any procedures in place and just terminate people at will without having to go through any process that would take time and money does not make sense to him. He continued that he errs on the side of the employees as the employees of Brown County are its greatest asset, and he felt it is time to start treating them like that. He understands the politics of this and also understands what Act 10 did, but he felt that we have to show respect for an employee to say if you're not doing your job, you can't just go getting rid of people. He felt that administration will say that they do not do that unless there is a problem and Evans felt they need to be able to prove that.

Moynihan hears everything Evans is saying, but he is not sure it goes along with 4.93. He felt it should be a stand-alone. Evans agreed that we should have a just cause standard, but not necessarily in the grievance procedures because grievance procedures is part of just cause standards, but we can work on this and find a different area to put it. Moynihan felt that that would be the prudent way to handle it and stated that he has been on both sides of this and what he learned is to document everything and that is where this avenue comes into place. Moynihan suggested that this be held to find a different location for the language.

Evans continued that this goes back to what Ruenzel said regarding the walking quorum. He said that the problem is that if administration is allowed to send out mass e-mails to people as to what their opinion is and the Board is not allowed to respond, he has a problem with that. Ruenzel stated that that is what the Committee is for. The role of administration is to provide as much information to the Board as they can and the Board's role is to hash it out. Evans noted that he sent his e-mail to administration as well and he has issues with not being able to respond to e-mails from administration.

Erickson noted that he received the e-mail from Evan and it said that this is what is going to be on the agenda and he did not think this was any different than receiving something from the Board office saying something is going to be on the agenda, such as what was done with Items 4a and 4b on this agenda. He did not feel that there was any malice and he just took it as something that was on the agenda. Erickson said he would rather see something a little bit in advance to be able to look it rather than just finding it on his desk.

Motion made by Supervisor Evans, seconded by Supervisor Fewell to hold until December's meeting. Vote taken. Nay: VanDyck MOTION CARRIED 5 to 1

21. Ordinance Creating Sections 4.15 of Chapter 4 of the Brown County Code Entitled "Benefits Advisory Committee."

Moynihan informed that this came from a communication that he brought forth and the ordinance was created with the assistance of Corporation Counsel with one caveat that came on the Board floor. Robinson had asked for one retiree who is receiving medical benefits through the county to be on the committee and that is in the ordinance. Moynihan felt the document was self-explanatory.

Kraft informed that there are currently about 1300 active employee insurance contracts and approximately 68 retiree health insurance contracts. Fewell said there was a policy somewhere that says an employee has to be employed a specified number of years to participate in retirement benefits, although he does not recall what the number of years was. Kraft expressed concern that by formally creating a committee in Chapter 4 of the County Code book, a public body is being formed which would have to operate pursuant to open records laws. He said that insurance vendors who want to come and talk to the committee about their programs and introduce them to their programs and policies are not going to want to do it in open session for competitive reasons. Lund responded that this could be done in closed session and Kraft understood that, but said that if there are monthly employee benefit committee meetings, some of which may include proprietary information, we are going to have to have 12 closed meetings per year. Lund noted that these insurance companies are meeting with administration all of the time and it is not getting out until it gets to the committee and the media does not know what is going to happen with benefits until it comes back to a committee. Kraft said that how much this wants to be negotiated in the press needs to be considered.

Moynihan said that the reason he brought this forward is because he has grown weary at the 11th hour hearing employees bring these issues up just prior to budget. Further, employees feel disenchanting that they did not have a place at the table and this would increase the element of communication to have the give and take. He continued that there was an advisory committee at one time prior to Act 10, but it has since been eliminated. Moynihan thought that this was a good thing, but it was for the Board to determine.

Fewell said he has never seen an insurance company turn down business. He understands that they may not want to compete, but he felt that any way this is handled, there will be insurance companies coming to hock their product.

With regard to the retiree aspect, Moynihan recalled that from last week it was an amendment that the County Board chose to add to the ordinance language. Fewell recalled this issue coming before the Board in the past and felt that at some point, the Board needs to set a date that employees hired after that date no longer qualify for retiree insurance. Kraft said that the proposal that the County Board passed last time this was before them was to increase the retiree rates to better reflect what their impact on the plan was and the Board accepted the recommendation to do a five year increment so that the marketplace is going to encourage the 60+ contracts to look elsewhere. Kraft continued that one of the pieces that Cindy Van Asten was not able to share is that M3 partners with the ADRC and presents presentations twice a year explaining affordable care, Medicare, Medicaid and other options. These meetings are not exclusive to employees, but are for public education. Fewell added that retirees may want to continue to purchase the insurance if they have a pre-existing condition, but the ACA has pretty much eliminated pre-existing conditions. He agreed that employees that have worked here for a number of years maybe should not get sunsetted, but he felt that at some point there has to be a sunset clause.

Van Dyck supported the advisory committee, but his major concern is that based upon the way that the language is presented, it says, "...created to provide a forum for employees to present ideas and assist in the formulation of employee benefits, and to make recommendation to the Executive Committee." He is concerned as to how this group will be managed and what the committee is really being asked to do and who is going to manage what the committee does. Van Dyck continued that difficult choices will have to be made

and asked if the group will be voting on something that they will then send to Committee or do they just agree to disagree or something else. He likes the idea overall, but is concerned about how it will work in practice.

Moynihan stated that they can make a determination as a group, but his original communication stated that they will ultimately advise with the administration who will provide the numbers and the programs and the dollar figures in the budget book. This committee would be there to provide guidance, but the ultimate proposals would lie with the executive branch. Lund agreed with Van Dyck in that the first paragraph should probably be changed that the group would offer up suggestions and receive information on benefits and then the recommendations should be made to the Administration Committee instead of the Executive Committee.

With regard to the conversation regarding what to do with retiree benefits in the future and the reference to the Affordable Care Act, Robinson stated there is a lot of misinformation out there and he felt that the members of the County Board are probably not aware of what the rates would be for comparable insurance on the market place because a lot of subsidies that people count on when looking for plans might not be available to retirees. His point is, it reinforces the need to have a retiree on the benefit advisory committee because even though they may be disproportionately represented when looking at the entire employee pool, they have a different experience and their voice needs to be there.

Motion made by Supervisor Moynihan, seconded by Supervisor Erickson to approve as amended by striking Executive Committee and adding the word Administration in its place. Vote taken. MOTION CARRIED UNANIMOUSLY

22. Such other matters as authorized by law. None.

23. Adjourn.

Motion made by Supervisor Erickson, seconded by Supervisor Moynihan to adjourn at 7:00 pm. Vote taken. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Alicia A. Loehlein
Recording Secretary

Therese Giannunzio
Transcriptionist

75.26 TAX SALES

Updated 13-14 Wis. Stats. 8

deed, without actual notice of the existence of the tax deed, the tax deed is void.

History: 1991 a. 316; 1997 a. 253

75.27 Limitation on former owner. No action shall be maintained by the former owner or any person claiming under the former owner to recover the possession of any land or any interest therein which shall have been conveyed by deed for the nonpayment of taxes or to avoid such deed against any person claiming under such deed unless such action shall be brought within 3 years next after the recording of such deed. Whenever any such action shall be commenced upon any tax deed heretofore or hereafter issued after the expiration of 3 years from the date of the recording of such deed, such deed, if executed substantially in the form prescribed by law for the execution of tax deeds, shall be conclusive evidence of the existence and legality of all proceedings from and including the assessment of the property for taxation up to and including the execution of such deed.

History: 1991 a. 316.

75.28 Application of all limitations. (1) The limitation for bringing actions under s. 75.27 or any other limitation in favor of a tax deed or a tax certificate, except in case of actual possession founded on a tax deed or as otherwise provided in this section, does not apply in the following cases:

(a) If the taxes for the nonpayment of which the land was included in a tax certificate and the tax deed executed were paid prior to the inclusion of the land in the tax certificate.

(b) If the land was redeemed as provided by law.

(c) If the land was exempt from taxation.

(d) If a single tax deed only has been issued and the original owner has, before the issuance of the tax deed, paid all taxes levied against the land for the 3 years after the year for which the land was returned delinquent and sold.

(2) (a) The tax deed grantee or the assigns of the tax deed grantee may, at any time after the tax deed is issued and recorded, serve a notice on the owner of record of the original title, stating that he, she or they hold a tax deed on the land of the original owner and giving a description of the land so deeded and a reference to the volume and page where the tax deed is recorded. The notice shall be served in the same manner as a summons in a court of record or by registered mail, addressed to the owner of record. Proof of service of the notice shall be filed in the office of the clerk of the county in which the lands are situated.

(b) If the post office address of the owner of record of the original title is unknown, the tax deed grantee, or the assigns of the tax deed grantee, may file in the office of the county clerk of the county in which the lands are situated an affidavit that he, she or they are unable, with due diligence, to make personal service of the notice or to ascertain the post-office address of the former owner. Upon filing the affidavit, the tax deed grantee, or the assigns of the tax deed grantee, may publish the notice as a class 3 notice, under ch. 985, in the county where the land described in the tax deed is located. Proof of publication of the notice shall be filed in the office of the county clerk.

(3) (a) If the notice described in sub. (2) is served and filed, or if the notice is published and proof of publication is filed, 30 days or more before the expiration of 3 years from the date of recording the tax deed, the limitation provided by s. 75.27 applies. If the notice is not so served and filed, or if the notice is not published and proof of publication is not filed, the limitation under s. 75.27 is extended until the expiration of 30 days after the day on which the notice is served and filed or published and proof filed.

(b) In any action brought by the original owner to set aside a tax deed after the service or publication and filing of the notice described in sub. (2), the original owner, in case the original owner prevails, shall as a condition of relief pay to the tax deed claimant the sum of \$5 for each description and the costs of serving or publishing the notice, in addition to all other costs and charges now provided for by law. The provisions of law regulating costs and

charges for the service of a summons in a court of record apply to and govern the amount that may be charged for the service or publication of the notice.

History: 1987 a. 378, 1991 a. 316, 1997 a. 253

75.285 Action; condition precedent. No action or proceeding shall be maintained by the former owner or any person claiming under the former owner, based upon the invalidity of any tax certificate or tax deed due to the failure of the county treasurer to give notice under s. 74.59, unless there is deposited with the clerk of circuit court, at the time the action is commenced under s. 801.02, an amount of money equal to either the full amount of all delinquent taxes currently outstanding against the parcel of property which is the subject of the action, plus interest and penalty under s. 74.47, or if the county has taken a tax deed, the full amount payable under s. 75.36 (3) (a) and (b). The deposited funds shall be held by the clerk of circuit court and paid out as directed by the judgment in the action or proceeding.

History: 1981 c. 390; 1987 a. 378.

75.29 Actions of ejectment, when barred. (1) Subject to sub. (2), no action to quiet title, to remove a cloud on title; to cancel, to annul or to set aside any tax deed; of ejectment, of trespass, of waste or for other injury to land shall be brought as to lands purporting to be conveyed by a tax deed void on its face after the expiration of 3 years from the time of the recording of the deed.

(2) The limitation period under sub. (1) does not apply unless each of the following occurs:

(a) The original owner or those claiming under the original owner have failed to pay or redeem all of the taxes levied on the lands from the time of the levy of the tax for the nonpayment of which the tax deed was issued to the time of the recording of the tax deed.

(b) The grantee in the tax deed or those claiming under the grantee in the tax deed have paid or redeemed all of the taxes levied on the lands for the 3 years after the recording of the tax deed.

History: 1991 a. 316; 1997 a. 253

75.30 Action by original owner if deed is void, when barred. No action may be brought by the original owner for the recovery of lands purporting to be conveyed for the nonpayment of taxes by a deed void on its face after the expiration of 5 years from the date of the recording of the tax deed, if the grantee in the tax deed has taken actual possession of the land within 2 years after the recording of the tax deed and has actually and continuously maintained possession of the lands to the end of the 5-year period from the recording of the deed.

History: 1997 a. 253

75.31 "Possession" defined. What shall constitute a possession of lands within the meaning of ss. 75.26 to 75.30 and the extent of such possession shall be governed by the rules prescribed for determining an adverse possession by a person claiming title founded upon a written instrument.

75.32 Taxation and sale of lands held by counties. Real property upon which the county holds a tax certificate shall continue liable to taxation, but when a tax deed shall be issued to the county such property shall thereafter be exempt from taxation until the same is sold by the county. The county clerk shall annually, before February 1, furnish to the assessors of each town a list of the lands in such town exempt under this section. Nothing in this section shall be so construed as to apply to lands owned by minors or persons adjudged mentally incompetent.

History: 1977 c. 29 s. 1647 (6); 1977 c. 83, 203, 1987 a. 378.

75.35 Sale of tax-deeded lands; purchase of adjacent lands. (1) **DEFINITION.** In this section "tax deeded lands" means lands which have been acquired by a county through enforcement of the collection of delinquent taxes by tax deed, foreclosure of tax certificate, deed in lieu of tax deed, action in rem under s. 75.521 or other means.

(2) **POWER OF COUNTY TO SELL TAX-DEEDED LANDS.** (a) Except as provided in s. 75.69, any county shall have the power to sell and convey its tax-deeded lands in such manner and upon such terms as the county board may by ordinance or resolution determine, including without restriction because of enumeration, sale by land contract, or by quitclaim or warranty deed with mortgage from vendee to secure any unpaid balance of the purchase price. Such mortgage may be foreclosed in the same manner as any other mortgage. The title to lands conveyed by land contract shall remain in the county until fully paid for and in the event of default in such payment the county may foreclose the land contract with costs and reasonable attorney fees. When such land contract runs to a person or private corporation, the lands therein conveyed shall be placed on the tax roll and be subject to taxation the same as though absolute title thereto was vested in the purchaser under such land contract. Such purchaser shall be liable to pay all taxes against such land and in the event of failure to make such payment the county may pay the same and add the sum so paid to the amount due on the land contract.

(c) Any conveyance by land contract or deed or satisfaction of mortgage shall be executed by the county clerk under the clerk's hand and the seal of the county.

(d) The county board may delegate its power to manage and sell tax-deeded lands to a committee constituted of such personnel and in such manner and compensated at such rate as the county board may by ordinance determine, provided that the compensation and mileage of county board members serving on such committee shall be limited and restricted as provided in s. 59.13 (2), or the county board may delegate the power of acquisition, management and sale of tax-deeded lands or any part of such power to such officer and departments of the county as the county board may by ordinance determine. Such ordinance shall prescribe the policy to be followed in the acquisition, management and sale of tax-deeded land and shall prescribe generally the powers and duties of such committee, officers, departments, employees and agents. The county board is authorized to engage licensed real estate brokers and salespersons to assist in selling such lands and pay a commission for such service and to advertise such sale in such manner as it deems proper. The county board may appropriate such sums of money as may be necessary to carry out the provisions of this section.

(e) Any county acting either by its board or by delegated authority as provided in this section may sell and convey tax-deeded lands to the former owner or owners thereof and such conveyance shall not operate to revive any tax certificate lien or any other lien whatsoever which was cut off and rendered void by the tax deed, foreclosure of tax certificate, deed in lieu of tax deed, action in rem under s. 75.521 or other means by which the county acquired title to such land, nor shall it revive the lien of any tax certificate or tax dated subsequently to the date on which the county acquired its title. The enactment into statute law of the provisions of this paragraph shall not be deemed an expression of legislative intent that the prior common law of this state was otherwise than as herein provided.

(f) If special assessments, as defined in s. 75.36 (1), levied on the tax-deeded land have not been settled in full under s. 74.29 or otherwise paid to the taxing jurisdiction that levied the special assessments, the taxing jurisdiction may purchase the tax-deeded land by notifying the county of its intent to do so at any time within one year after the period of redemption has expired but prior to the date upon which the tax-deeded land is sold to another person by the county. The amount for which the tax-deeded land may be purchased shall be the sum of the following:

1. All expenses incurred by the county to obtain marketable title to the property, except that the time of county employees and officers may not be included in those expenses. The county may establish a reasonable estimate of the average cost to obtain marketable title to property which it may use instead of determining the actual costs for any parcel sold by the county.

2. All amounts of unpaid general property taxes, special assessments, special charges and special taxes levied against the property sold, including interest and penalties imposed under s. 74.47 previously paid to taxing jurisdictions by the county.

3. Any withdrawal tax and any withdrawal fee due under s. 77.84 (3) (b).

4. Any unpaid special assessments or special charges that were not levied by the taxing jurisdiction purchasing the tax-deeded land. The county shall pay any amounts received under this subdivision to the taxing jurisdiction which levied the special assessment or special charge.

(3) **PREFERENCE TO FORMER OWNER TO REPURCHASE.** The county board may, at its option, by ordinance provide that in the sale of tax-deeded lands, the former owner who lost his or her title through delinquent tax collection enforcement procedure, or his or her heirs, may be given such preference in the right to purchase such lands as such ordinance shall provide. Such ordinance may provide that such sale be exempt from any or all provisions of s. 75.69 if the net proceeds from the sale to the former owner as determined under s. 75.36 (3) will be sufficient to pay all special assessments and special charges to which the property is subject, including interest imposed under s. 74.47, or if the county settles in full with the taxing jurisdiction for special assessments, as defined in s. 75.36 (1), to which the property is subject. Such ordinance shall not apply to tax-deeded lands which have been improved for or dedicated to a public use by the county subsequent to its acquisition thereof.

(4) **PURCHASE OF ADJACENT LANDS.** A county may purchase lands adjacent to tax-deeded lands in cases where the county board determines that such purchase will improve the salability of such tax-deeded lands or will create access to streets or highways for lands lacking such access.

(7) **LIABILITY PRECLUDED.** Absent fraud, no county is liable for acts or omissions associated with the sale of property under this section.

History: 1987 a. 27, 378; 1989 a. 104; 1993 a. 184, 1995 a. 201, 2003 a. 228
Cross-reference: See s. 59.52 (6) for power of county to direct county clerk to sell or contract for sale and conveyance of land owned by county, whether acquired by tax deed or otherwise

An ordinance under sub. (3) allowed a mortgagor to reacquire foreclosed property free of the mortgage lien. *Bank of Commerce v. Waukesha County*, 89 Wis. 2d 715, 279 N.W.2d 237 (1979).

75.36 County acquisition and sale of property.

(1) **DEFINITION.** In this section, "special assessments" means unpaid installments of special assessments which were levied on real property prior to the date that the county acquired the real property by taking of a tax deed under this chapter. "Special assessments" includes amounts delinquent when the property became subject to a tax certificate, installments which became delinquent during the time the property is subject to a tax certificate and all installments payable after the date the county takes a tax deed under this chapter. "Special assessments" does not include unpaid amounts of special assessments deferred under s. 66.0715 (2), unless the taxing jurisdiction has acted under s. 66.0715 (2) (b).

(2) **ACQUISITION OF PROPERTY BY COUNTY, EFFECT ON LIABILITIES.** (a) If property is acquired by a county taking a tax deed under this chapter, the county is not required to pay any special charges or special assessments until the property is sold by the county. In the case of lands designated as forest croplands or managed forest lands, the county is not required to pay any taxes under s. 77.04, 77.07 or 77.87 until the forest crop is cut. The liens of the tax certificate and of all general property taxes, special assessments, special charges and special taxes levied against the property shall merge in the county's title.

(b) If the county did not settle for unpaid special assessments or special charges under s. 74.29, the county treasurer shall notify all taxing jurisdictions that the county has acquired the property under this chapter. Each taxing jurisdiction shall certify to the

Brown County
Proposed Board of Supervisors Salary Increase
Budget Year 2016

Position	Count	Current		Proposed		Variance	
		Individual	Total	Individual	Total	Individual	Total
Chair	1	11,406	11,406	11,400	11,400	(6)	(6)
Vice Chair	1	9,406	9,406	9,400	9,400	(6)	(6)
Subcommittee Chair	5	7,956	39,780	8,400	42,000	444	2,220
Supervisors	19	7,956	151,164	8,000	152,000	44	836
Total annual effect			211,756		214,800	476	3,044

<u>January 2016 through mid-April 2016</u>		<u>Annual</u>	<u>Months</u>	<u>Extended</u> (a)
Chair	1	11,406	3.5	3,327
Vice Chair	1	9,406	3.5	2,743
Subcommittee Chair	5	7,956	3.5	11,603
Supervisors	19	7,956	3.5	44,090
Subtotal, current rate of pay				61,763

<u>Mid-April 2016 through December 2016</u>		<u>Annual</u>	<u>Months</u>	<u>Extended</u> (b)
Chair	1	11,400	8.5	8,075
Vice Chair	1	9,400	8.5	6,658
Subcommittee Chair	5	8,400	8.5	29,750
Supervisors	19	8,000	8.5	107,667
Subtotal, proposed rate of pay				152,150

<u>Proposed annual budget 2016</u>		<u>Current</u>	<u>Proposed (a+b)</u>	<u>Variance</u>
Chair	1	11,406	11,402	(4)
Vice Chair	1	9,406	9,401	(5)
Subcommittee Chair	5	39,780	41,353	1,573
Supervisors	19	151,164	151,757	593
Total proposed budget, wages		211,756	213,913	2,157
FICA @ 7.65%		16,199	16,364	165
Total proposed budget, wages and benefits		227,955	230,277	2,322

Brown County Board Salary History

Year	Chairman	Increase (Decrease)	Vice-Chair	Increase (Decrease)	Supervisors	Increase (Decrease)	Percentage
1995	\$ 8,600		\$ 6,600		\$ 5,100		
1996	\$ 9,200	\$ 600	\$ 7,200	\$ 600	\$ 5,700	\$ 600	12%
1997	\$ 9,800	\$ 600	\$ 7,800	\$ 600	\$ 6,300	\$ 600	11%
1998	\$ 10,400	\$ 600	\$ 8,400	\$ 600	\$ 6,900	\$ 600	10%
1999	\$ 11,000	\$ 600	\$ 9,000	\$ 600	\$ 7,500	\$ 600	9%
2000	\$ 11,000	\$ -	\$ 9,000	\$ -	\$ 7,500	\$ -	0%
2001	\$ 11,000	\$ -	\$ 9,000	\$ -	\$ 7,500	\$ -	0%
2002	\$ 11,000	\$ -	\$ 9,000	\$ -	\$ 7,500	\$ -	0%
2003	\$ 11,000	\$ -	\$ 9,000	\$ -	\$ 7,500	\$ -	0%
2004	\$ 11,000	\$ -	\$ 9,000	\$ -	\$ 7,500	\$ -	0%
2005	\$ 11,000	\$ -	\$ 9,000	\$ -	\$ 7,500	\$ -	0%
04/06-04/07	\$ 11,000	\$ -	\$ 9,000	\$ -	\$ 7,650	\$ 150	2%
04/07-04/08	\$ 11,250	\$ 250	\$ 9,250	\$ 250	\$ 7,800	\$ 150	2%
04/08-04/09	\$ 11,406	\$ 156	\$ 9,406	\$ 156	\$ 7,956	\$ 156	2%
04/09-04/10	\$ 11,406	\$ -	\$ 9,406	\$ -	\$ 7,956	\$ -	0%
04/10-04/11	\$ 11,182	\$ (224)	\$ 9,222	\$ (184)	\$ 7,800	\$ (156)	-2%
04/11-04/12	\$ 11,406	\$ 224	\$ 9,406	\$ 184	\$ 7,956	\$ 156	2%
04/12-04/13	\$ 11,406	\$ -	\$ 9,406	\$ -	\$ 7,956	\$ -	0%
04/13-04/14	\$ 11,406	\$ -	\$ 9,406	\$ -	\$ 7,956	\$ -	0%
04/14-04/15	\$ 11,406	\$ -	\$ 9,406	\$ -	\$ 7,956	\$ -	0%
04/15-04/16	\$ 11,406	\$ -	\$ 9,406	\$ -	\$ 7,956	\$ -	0%

**REGISTER OF DEEDS
SALARY SURVEY 2012-2016**

County	Population	2012 Salary	Increase	2013 Salary	2014	2014 Salary	2015	2015 Salary	2016	2016 Salary
Dane	480,000	\$84,890	5.8%	\$89,814.00	1.25%	\$90,937.00	2.0%	\$92,756.00	2%	\$94,611.00
Waukesha	393,843			\$71,125.00		\$72,191.00		\$73,273.00		\$74,372.00
Brown	255,376	\$67,700	\$1,300	\$69,000.00	0.0%	\$69,000.00	0.0%	\$69,000.00	0%	\$69,000.00
Racine	195,041			\$72,500.00		\$72,500.00		\$72,500.00		\$72,500.00
Outagamie	172,734	\$67,624	1.5%	\$68,638.00	1.5%	\$69,668.00	1.5%	\$70,713.00	1.5%	\$71,774.00
Kenosha	162,001	\$75,281		\$76,304.00		\$77,327.00		\$78,350.00		\$79,373.00
Winnebago	160,593	\$68,126	1.0%	\$68,807.00	1.5%	\$69,839.00	2.0%	\$71,236.00	2.0%	\$72,661.00
Rock	159,153	\$70,301	0.0%	\$70,301.00	1.0%	\$71,004.00	1.5%	\$72,069.00	2.0%	\$73,510.00

Wisconsin County Treasurer Salaries
Preliminary 11-18-13
REVISED 10-23-15

County	2013 Population	2012	2013	2013 % Chng	2014	2014 % Chng	2015	2015 % Chng	2016	2016 % Chng
1 Dane	495,921	84,885	89,814	5.81%	90,937	1.25%	92,755	2.00%	94,611	2.00%
2 Milwaukee	950,410	83,776	83,776	0.00%	83,776	0.00%	83,776	0.00%	83,776	0.00%
3 Kenosha	166,915	75,281	76,304	1.36%	77,327	1.34%	78,350	1.32%	79,373	1.31%
4 Columbia	56,804	69,100	72,677	5.18%	74,522	2.54%	76,413	2.54%	76,413	0.00%
5 Ozaukee	86,705	69,153	71,227	3.00%	72,652	2.00%	74,105	2.00%	75,587	2.00%
6 Racine	195,174	72,400	72,400	0.00%	72,400	0.00%	72,400	0.00%	72,400	0.00%
7 Waukesha	391,478	69,143	70,180	1.50%	71,232	1.50%	72,300	1.50%	73,384	1.50%
8 Rock	160,148	70,301	70,301	0.00%	71,004	1.00%	72,069	1.50%	73,511	2.00%
9 La Crosse	115,928	66,486	68,481	3.00%	70,535	3.00%	71,946	2.00%	73,385	2.00%
10 Winnebago	167,862	68,126	68,807	1.00%	69,839	1.50%	70,183	0.49%	71,587	2.00%
11 Outagamie	179,117	67,624	68,638	1.50%	69,668	1.50%	70,713	1.50%	71,774	1.50%
12 Brown	251,495	67,700	69,000	1.92%	69,000	0.00%	69,000	0.00%	69,000	0.00%
13 Wood	74,583	52,289	63,955	22.31%	68,913	7.75%	68,913	0.00%	68,913	0.00%
14 Fond Du Lac	101,984	66,686	66,686	0.00%	67,353	1.00%	68,700	2.00%	70,074	2.00%
15 Walworth	102,579	66,662	66,662	0.00%	67,329	1.00%	68,002	1.00%	68,682	1.00%
16 Marathon	134,679	66,414	66,414	0.00%	66,414	0.00%	66,414	0.00%	66,414	0.00%
17 Washington	132,612	65,997	65,997	0.00%	65,997	0.00%	67,317	2.00%	68,663	2.00%
18 Sauk	85,249	65,574	65,574	0.00%	65,574	0.00%	66,230	1.00%	66,892	1.00%
19 Waupaca	52,354	62,650	63,900	2.00%	65,175	2.00%	66,480	2.00%	67,810	2.00%
20 Sheboygan	41,875	58,742	63,615	8.30%	63,615	0.00%	63,615	0.00%	63,615	0.00%
21 Jefferson	83,940	59,193	62,150	5.00%	62,774	1.00%	63,398	0.99%	64,022	0.98%
22 Chippewa	62,918	61,091	61,702	1.00%	62,319	1.00%	62,942	1.00%	63,572	1.00%
23 Portage	70,903	59,996	61,680	2.81%	62,293	0.99%	63,227	1.50%	64,175	1.50%
24 Dodge	88,875	60,215	60,965	1.25%	61,715	1.23%	62,465	1.22%	63,215	1.20%
25 Manitowoc	81,352	61,576	61,576	0.00%	61,576	0.00%	62,192	1.00%	63,125	1.50%
26 St Croix	115,376	61,000	64,000	4.92%	64,000	0.00%	64,000	0.00%	64,000	0.00%
27 Green Lake	19,093	59,705	60,601	1.50%	60,601	0.00%	62,449	3.05%	63,073	1.00%
28 Door	27,966	59,444	59,705	0.44%	60,348	1.08%	60,951	1.00%	61,561	1.00%
29 Douglas	44,279	58,041	58,912	1.50%	60,090	2.00%	60,090	0.00%	60,090	0.00%
30 Calumet	49,405	57,680	58,834	2.00%	60,011	2.00%	60,611	1.00%	61,217	1.00%
31 Oneida	36,042	50,773	58,417	15.06%	59,586	2.00%	59,586	0.00%	59,586	0.00%
32 Waushara	24,481	59,351	59,351	0.00%	59,351	0.00%	60,241	1.50%	61,145	1.50%
33 Barron	45,963	57,897	58,000	0.18%	59,000	1.72%	60,000	1.69%	61,000	1.67%
34 Green	36,799	52,281	57,800	10.56%	58,759	1.66%	58,759	0.00%	58,759	0.00%
35 Kewaunee	20,604	56,325	57,525	2.13%	58,725	2.09%	59,925	2.04%	61,125	2.00%
36 Marinette	41,732	55,857	56,974	2.00%	58,113	2.00%	58,113	0.00%	58,113	0.00%
37 Adams	20,834	56,185	57,000	1.45%	58,000	1.75%	59,000	1.72%	60,000	1.69%
38 Clark	34,721	55,702	56,816	2.00%	57,952	2.00%	59,111	2.00%	60,293	2.00%
39 Eau Claire	99,734	57,376	57,376	0.00%	57,950	1.00%	58,519	0.98%	59,114	1.02%
40 Oconto	37,898	56,062	56,623	1.00%	57,189	1.00%	57,761	1.00%	58,339	1.00%
41 Dunn	43,887	55,841	56,399	1.00%	56,963	1.00%	57,533	1.00%	58,108	1.00%
42 Pierce	40,940	55,323	56,015	1.25%	56,715	1.25%	57,424	1.25%	58,142	1.25%
43 Juneau	26,912	54,711	55,211	0.91%	55,711	0.91%	56,411	1.26%	57,111	1.24%
44 Lincoln	29,134	54,863	55,411	1.00%	55,688	0.50%	55,966	0.50%	56,246	0.50%
45 Shawano	16,670	54,519	55,064	1.00%	55,615	1.00%	56,171	1.00%	56,733	1.00%
46 Langlade	19,835	43,709	55,000	25.83%	55,000	0.00%	55,000	0.00%	55,000	0.00%
47 Bayfield	15,088	54,985	54,985	0.00%	54,985	0.00%	56,185	2.18%	57,385	2.14%
48 Washburn	15,928	53,792	54,868	2.00%	54,868	0.00%	55,965	2.00%	55,965	0.00%
49 Trempealeau	29,086	53,774	54,312	1.00%	54,855	1.00%	55,403	1.00%	55,957	1.00%
50 Jackson	20,551	54,182	54,453	0.50%	54,725	0.50%	55,272	1.00%	55,825	1.00%
51 Polk	44,213	53,787	53,799	0.02%	54,606	1.50%	55,425	1.50%	56,256	1.50%
52 Richland	18,015	52,859	52,859	0.00%	54,181	2.50%	55,535	2.50%	56,923	2.50%
53 Vernon	29,930	52,136	52,136	0.00%	53,179	2.00%	54,242	2.00%	55,327	2.00%
54 Burnett	15,496	51,244	52,270	2.00%	53,054	1.50%	54,115	2.00%	55,197	2.00%
55 Buffalo	13,630	52,833	52,833	0.00%	52,833	0.00%	52,833	0.00%	52,833	0.00%
56 Grant	51,723	51,896	51,887	-0.02%	52,405	1.00%	52,929	1.00%	53,459	1.00%
57 Sawyer	62,041	49,207	51,667	5.00%	52,184	1.00%	52,705	1.00%	53,233	1.00%
58 Marquette	15,376	50,773	51,281	1.00%	51,794	1.00%	52,311	1.00%	52,835	1.00%
59 Rusk	14,772	45,356	50,002	10.24%	50,973	1.94%	49,072	-3.73%	50,083	2.06%
60 Iowa	23,740	48,956	50,456	3.06%	50,960	1.00%	51,470	1.00%	51,984	1.00%
61 Taylor	20,720	48,946	49,925	2.00%	50,924	2.00%	50,924	0.00%	50,924	0.00%
62 Vilas	21,465	47,378	49,036	3.50%	50,752	3.50%	52,529	3.50%	54,367	3.50%
63 Monroe	45,198	50,553	50,553	0.00%	50,553	0.00%	51,564	2.00%	52,595	2.00%
64 Crawford	16,658	50,973	50,533	-0.86%	50,533	0.00%	50,533	0.00%	50,533	0.00%
65 Iron	5,848	48,040	48,768	1.52%	49,288	1.07%	49,808	1.06%	50,328	1.07%
66 Pepin	7,448	47,300	47,773	1.00%	48,251	1.00%	49,216	2.00%	50,200	2.00%
67 Ashland	16,097	48,058	47,595	-0.96%	48,071	1.00%	49,000	1.93%	50,000	2.04%
68 Lafayette	16,883	46,213	46,675	1.00%	47,608	2.00%	48,084	1.00%	48,565	1.00%
69 Price	14,117	46,717	46,717	0.00%	46,717	0.00%	46,717	0.00%	46,717	0.00%
70 Menominee	4,221	42,254	43,099	2.00%	43,961	2.00%	44,840	2.00%	45,737	2.00%
71 Forest	9,210	41,572	41,572	0.00%	41,573	0.00%	42,404	2.00%	43,252	2.00%
72 Florence	4,381	36,536	37,267	2.00%	38,012	2.00%	38,772	2.00%	39,548	2.00%
Average Increase Per Year				2.48%		1.20%		1.13%		1.24%
									4YR AVERAGE	1.51%

Chart By Account

100.080.001.4960 (GF.Treasurer.General.Gain or Loss on Sale - Tax Deeds)

Classification Miscellaneous Revenue, Miscellaneous Revenue



	2011	2012	2013	2014	2015
Adopted	-\$3,000.00	-\$5,000.00	-\$10,000.00	-\$10,000.00	-\$10,000.00
Amended	-\$3,000.00	-\$5,000.00	-\$10,000.00	-\$10,000.00	-\$10,000.00
Actual	-\$6,302.96	-\$26,242.68	-\$10,892.79	-\$5,781.38	\$25,475.51

Just Cause Standard

This is an example of the Just Cause Standard and how it should be implemented. It is from the current state statutes dealing with Deputy Sheriffs.

59.26(8) Wis. Stats.

(b)

1. The persons appointed shall hold the office of deputy sheriff on good behavior. In any county operating under this subsection, but not under s. 59.52 (8), whenever the sheriff or undersheriff or a majority of the members of a civil service commission for the selection of deputy sheriffs believes that a deputy has acted so as to show the deputy to be incompetent to perform the duties of deputy sheriff or to have merited suspension, demotion or dismissal, the sheriff, undersheriff or civil service commission shall report in writing to the grievance committee setting forth specifically the complaint against the deputy, and, when the party filing the complaint is a sheriff or undersheriff, may suspend or demote the officer at the time such complaint is filed. The grievance committee shall be appointed in the same manner and at the same time as standing committees of the board are appointed. The committee may be made up of members of the board or other electors of the county, or both. Such members shall be paid in the same manner as members of other board committees.
 2. The grievance committee shall immediately notify the accused officer of the filing of the charges and on request furnish the accused officer with a copy of the same.
 3. The grievance committee shall, if the officer requests a hearing, appoint a time and place for the hearing of the charges, the time to be within 3 weeks after the filing of such request for a hearing and the committee shall notify the sheriff or undersheriff or the members of the civil service commission, whichever filed the complaint with the committee, and the accused of the time and place of such hearing. If the accused officer makes no request to the grievance committee, then the committee may take whatever action it considers justifiable on the basis of the charges filed and shall issue an order in writing as provided in subd. 5. The committee may take testimony at the hearing, and any testimony taken shall be transcribed. The chairperson of the committee shall issue subpoenas for the attendance of such witnesses as may be requested by the accused.
 4. At the hearing the chairperson of the committee may maintain order and enforce obedience to the chairperson's lawful requirements. If a person at the hearing acts in a disorderly manner and persists after notice from the chairperson, the chairperson may order the person to leave the hearing. If the order is refused the chairperson may order the sheriff or other person to take the disorderly person into custody until the hearing is adjourned for that day.
 5. At the termination of the hearing the grievance committee shall determine in writing whether or not the charge is well-founded and shall take such action by way of suspension, demotion, discharge or reinstatement as it considers requisite and proper under the circumstances and file the same with the secretary of the committee.
- 59.26(8)(b)5m.5m. No deputy may be suspended, demoted or discharged by the grievance committee under subd. 3. or 5., based on charges filed by the sheriff, undersheriff or a majority of the members of the civil service commission for the selection of deputies unless the committee determines whether there is just cause, as described in this

subdivision, to sustain the charges. In making its determination, the committee shall apply the following standards, to the extent applicable:

- a. Whether the deputy could reasonably be expected to have had knowledge of the probable consequences of the alleged conduct.
- b. Whether the rule or order that the deputy allegedly violated is reasonable.
- c. Whether the sheriff, before filing the charge against the deputy, made a reasonable effort to discover whether the deputy did in fact violate a rule or order.
- d. Whether the effort described under subd. 5m. c. was fair and objective.
- e. Whether the sheriff discovered substantial evidence that the deputy violated the rule or order as described in the charges filed against the deputy.
- f. Whether the sheriff is applying the rule or order fairly and without discrimination to the deputy.
- g. Whether the proposed discipline reasonably relates to the seriousness of the alleged violation and to the deputy's record of service with the sheriff's department.

This is an more detailed explanation.

What is a "just cause" standard? It is commonly accepted that there are seven tests as to whether a boss has used "just cause" in handing out discipline. The Bureau of National Affairs lists them as follows:

1. WAS THE EMPLOYEE ADEQUATELY WARNED OF THE CONSEQUENCES OF HIS CONDUCT?

The warning may be given orally or in printed form. An exception may be made for certain conduct, such as insubordination, coming to work drunk, drinking on the job, or stealing employer property, that is so serious that the employee is expected to know it will be punishable.

Example: If an employee is told to stop using vulgar language and told that if he continues he will be disciplined, that maybe adequate warning. However if a boss comes up to an employee and says "I'm tired of your swearing, cut it out", and then the next day fires the employee for swearing again, that may not be adequate warning.

2. WAS THE EMPLOYER'S RULE OR ORDER REASONABLY RELATED TO EFFICIENT AND SAFE OPERATIONS?

Example: A boss makes a rule that all employees must wear red tee shirts and they must be tucked in so they don't get caught in machinery. An employee is fired for wearing a blue tee shirt that was tucked in. Making a rule that tee shirts must be tucked in so they won't get caught in machinery may be reasonable and related to safety, but demanding the tee shirt be blue isn't related to safety or efficiency.

3. DID MANAGEMENT INVESTIGATE BEFORE ADMINISTERING THE DISCIPLINE?

The investigation normally should be made before the decision to discipline is made. Where immediate action is required, however, the best course is to suspend the employee pending investigation with the understanding that he will be restored to his job and paid for time lost if he is found not guilty.

Example: The boss fires a worker for stealing and then demands evidence from the union that the worker isn't guilty. At the grievance meeting the boss admits he never investigated the incident, just took another employee's word. This probably wouldn't hold up. If the union has facts to prove the employee's innocence they should be presented to the boss, even though he failed to properly investigate the case.

4. WAS THE INVESTIGATION FAIR AND OBJECTIVE?

Example: If an incident happened does the employer interview everyone present or only management people who were present. If the employer refuses to interview nonmanagement workers then the investigation may not be fair.

5. DID THE INVESTIGATION PRODUCE SUBSTANTIAL EVIDENCE OR PROOF OF GUILT?

It is not required that the evidence be preponderant, conclusive, or "beyond reasonable doubt," except where the alleged misconduct is of such a criminal or reprehensible nature as to stigmatize the employee and seriously impair his chances for future employment.

Example: Here it is obvious that workers have less rights inside the workplace than they would have in civil court, but still the boss must have real evidence, not guesses. Again the boss cannot just try to make a worker prove his or her innocence, without presenting proof of guilt.

6. WERE THE RULES, ORDERS, AND PENALTIES APPLIED EVENHANDEDLY AND WITHOUT DISCRIMINATION?

If enforcement has been lax in the past, management cannot suddenly reverse its course and begin to crack down without first warning employees of its intent.

Example: This is the most common form of discrimination. An employer decides to suspend Mary for taking too long at lunch, but lets the employees who eat lunch with a supervisor take extra time every day. This would not hold up. However, if the employer tells everyone that starting on Monday employees will be disciplined for taking too long at lunch and on Tuesday Mary comes back late and everyone else has been on time, she may be disciplined.

7. WAS THE PENALTY REASONABLY RELATED TO THE SERIOUSNESS OF THE OFFENSE AND THE PAST RECORD?

If employee A's past record is significantly better than that of employee B, the employer properly may give employee A lighter punishment than employee B for the same offense.

Example: The classic example is two employees get in an argument and shove each other. One has 25 years service with a clean record. The other has 3 years service with lots of warnings and discipline. Based upon the workers seniority and records, the employer may give the older worker less punishment than the other worker.